

1906-037 Chancery Causes: Mary Milligan vs. Nathaniel Milligan  
Lee Co.

Robbins, Roberts

CA-Divorce



To the Hon.H.A.W.Skeen,Judge of the Circuit Court for Lee  
County,Virginia:

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Your oratrix,Mary Milligan,humbly complaining,would respect-  
show unto the court :

(1) That she is now,and has been,for more than twelve months  
next preceding the institution of this suit,a citizen of Lee  
County,Virginia.

(2) That on the        day of        1896 married to one Nathaniel  
Milligan,and that they lived and cohabited together as man and  
wife for something over three years.

(3) That about seven years ago her said husband forged some  
orders,and a warrant for his arrest was placed in the hands of  
one William Short,a constable of this county;and that her said ~~h~~  
husband in order to avoid arrest left the state of Virginia,and  
your oratrix has not seen or heard from him since;and she does  
not know whether he is living or dead.He has in no way contributed  
to her support for about seven years,nor has she cohabited with ~~h~~  
him in that period of time.

(4) That some years ago while living in Tennessee she employed  
an attorney Mr.Henry Coleman of Sneedville,Tenn.to institute a  
suit for a divorce,and thought he had secured the same till a  
few months ago.

Your oratrix being therefore remediless save in a court  
equity,her prayer,therefore,is that the said Nathaniel Milligan  
be made a party defenant to this bill and be required to answer  
the same but not on oath,that being waived,that proper process  
issue,and and that upon a final hearing a decree be entered  
giving your oratrix a divorce from the bonds of matrimony hereto-  
fore contracted between her and the said Nathaniel Milligan,and  
that all other,further and general relief be granted as may be  
right in the premises and she will ever pray,etc.

\_\_\_\_\_*J. C. Noel*\_\_\_\_\_  
P.Q.



Mary Mulligan

v { Bill & Co. Inc.

Nathaniel Mulligan

1906 2<sup>nd</sup> Aug. Rules  
Bill filed, Spa.  
not executed &  
Contd. for O.P.  
" 1<sup>st</sup> Sept. Rules  
Contd. for O.P.  
" 2<sup>nd</sup> Sept. Rules  
taken 2<sup>nd</sup> Mon.  
O.P. completed  
& cause set for  
hearing.

Costs:

Clerk \$5.26

Dax 1.50

Atty. 15.00

Printer 5.60

\$27.36

1900 to 10



Mary Milligan  
vs  
Nathaniel Milligan } In Chancery.

This cause came on this day to be finally heard upon the plaintiff's bill; and the depositions of witnesses. And it appearing that the defendant has been duly served with notice by order of publication duly made, it is adjudged ordered and decreed that the bonds of matrimony heretofore contracted between the plaintiff and defendant, be and the same be hereby annulled and dissolved, and that the plaintiff be decreed an absolute divorce from the defendant. And this cause is dismissed from the docket.



Mary Milligan  
vs } Dr Chancery  
Nathaniel Milligan  

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Decree Final.

Entered in C.C.B.  
#8, page 230

Enter this decree  
This Dec. 10, 1906  
Hewitt  
Judge.



The depositions of Eli Robbins, Mary Milligan and others, taken before me, W.K. Hopkins a commissioner in Chancery for the Circuit Court of Lee County, Virginia, ex parte, on the 10th day of September 1906, at the office of J.C. Noel at Pennington Gap, Virginia, to be read as evidence in behalf of Mary Milligan in a certain suit in equity now depending in the Circuit court for said county of Lee wherein the said Mary Milligan is plaintiff and Nathaniel Milligan is defendant.

Present: J.C. Noel, attorney for Plaintiff.

Eli Robbins, a witness of lawful age being duly sworn deposes and says:

Ques. (1).--State your age, residence and occupation?

Ans.--I am 67 years old, reside in Lee County, Virginia, and am a Farmer.

Q.2.--What relation are you to Mary Milligan, the plaintiff in this suit?

A.-- I am her father.

Q.3.-- Were acquainted with her husband, Nathaniel Milligan?

A. I was.

Q.4.--Where is he now, and how long has it been since you saw him?

A.-- I do not know where he is I have not seen him for about seven years. He ran away from here about seven years ago, deserting his wife, the plaintiff, and I have not seen or heard from him since. During all that time he has in no way contributed to the support of his said wife; nor has she seen him during that time.

And further this deponent sayeth not.

Eli Robbins.

Mary Milligagan the plaintiff, being duly sworn, deposeth and says:

Q.1.--State your age, and residence?

A. I am 24 or 25 years old and reside in Lee County, Va.

Q.2.--When were you married to the defendant, Nathaniel Milligan, and how long did you live together as man and wife?

A.-- We were married about eleven years ago, but lived together,



only about four years. He ran away from me and out of the state about seven years ago, and I have not seen or heard from him since. He has in no way contributed to my support, since he left, about seven years ago. In fact I thought I was divorced from him until right recently. About five years ago I employed Mr. Henry Coleman, an attorney at Sneed ville, Tenn. to bring suit for me to secure a divorce, and paid him his fee and costs, and have been under the impression all the while until right recently that he had secured the divorce.

And further this deponent sayeth not.

Mary Milligan

Virginia, Lee County, to wit:

I, W.K. Hopkins, a ~~notary~~ a Commissioner in Chancery for the ~~the~~ Circuit Court for Lee County, Virginia, do hereby certify that the foregoing depositions of Eli Robberts and Mary Milligan were duly taken, sworn to and subscribed before, at the time and place, and for the purpose therein mentioned.

Given under my hand this 10th day of September, 1906.

W.K. Hopkins  
Commissioner in Chancery



Mary Willigan  
~~nee~~

Nathaniel Willigan

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Filed Sept. 17 1906.  
H. C. J. Ewing  
Clerk



In the Clerk's Office of the Circuit Court of the County of  
Lee

Mary Milligan

Plaintiff

against

Nathaniel Milligan

Defendant

This day  Jas. W. Orr  personally appeared  
before me  M. E. Hanary, Deputy  Clerk of the said Court,  
and being duly sworn, made oath that  Nathaniel Milligan

defendant in the said suit  is  not <sup>a</sup> resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this  17th  day of  August , 190 6 ,

M. E. Hanary, D. Clerk.



Mary Milligan

vs.

}

AFFIDAVIT FOR ORDER  
OF  
PUBLICATION.

Nathaniel Milligan

Oct & Nov. p. q.



In the Clerk's Office of the Circuit Court of the county of Lee, on the 17<sup>th</sup>  
day of August, 1906,

Mary Milligan,

against

Plaintiff

In Chancery.

Nathaniel Milligan,

Defendant

The object of this suit is to obtain a divorce from the bonds of  
matrimony existing between the parties.

And an affidavit having been made and filed that the defendant

Nathaniel Milligan is

a not resident of the State of Virginia, it is ordered that he do appear here within fifteen days  
after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is  
further ordered that a copy hereof be published once a week for four weeks in the Jonesville  
Star and that a copy be posted at the front door of the Courthouse of this county as prescribed

by law.

A copy—Teste:

Orr X Noel,

p. q.

H. C. Ewing,  
By M. E. Hanaty, D.C.

Clerk.



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Mary Milligan.

vs.

}

ORDER OF  
PUBLICATION

Nathaniel Milligan.

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Virginia, Lee County, to-wit:

I, H. C. P. Ewing, Clerk of  
the Circuit Court for the  
County aforesaid, in the State  
of Va. do certify that I  
posted a true copy of the  
within order of publication  
at the front door of the Court-  
house of this County on this day,

Given under my hand, this the  
17th day of August, 1906.

H. C. P. Ewing, Clerk.



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*Nathaniel Milligan*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on  
the *3<sup>rd</sup>* Monday in *August*, 190*6*, to answer a bill in chancery exhibited against *him*  
*by Mary Milligan,*

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *17<sup>th</sup>*  
day of *August*, 190*6*, and 1 *31<sup>st</sup>* year of the Commonwealth.

A Copy, Teste:

*H. C. T. Ewing*, Clerk.

\_\_\_\_\_, Clerk.



Mary Milligan

VS

}

SUBPOENA  
IN  
CHANCERY.

Nathaniel Milligan

Geo. W. Wood, p. q

To 2<sup>nd</sup> August, Rules.

Lee Circuit Court.

1906



## Order of Publication

In the Clerk's Office of the Circuit Court  
of the county of Lee, on the 17th  
day of August, 1906,

MARY MILLIGAN, Plaintiff,

against

NATHANIEL MILLIGAN, Defendant.

In Chancery.

The object of this suit is to obtain a divorce from the bonds of matrimony existing between the parties. And an affidavit having been filed that the defendant Nathaniel Milligan is not a resident of the State of Virginia, it is ordered that he do appear here within fifteen days after due publication hereof, and do what may be necessary to protect his interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star and that a copy be posted at the front door of the Court house of this county as prescribed by law.

A copy-Teste:

H. C. T. EWING, Clerk.

By M. E. FLANARY, D.C.

J. C. NOEL, p. q.

5-60



Mary Miligan

vs

In Chancery

Nathaniel Miligan



I, J. C. Boatright, editor  
of The Jonesville Star, a weekly newspaper  
published in the county of Lee, state of Virginia,  
do hereby certify that the enclosed notice was  
published in said paper once a week for four  
successive weeks, commencing on the 23rd  
day of August, 1906

J. C. Boatright, Editor.

FEE \$5.60